



06107104

IPW 3742  
41PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DAWOOD PARKER                      ART UNIT: 3742  
SERIAL NO.: 09/762,923                      EXAMINER: DANIEL L. ROBINSON  
FILED: APRIL 16, 2001  
TITLE: OPTICAL DEVICE

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner for Patents  
United States Patent and Trademark Office  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

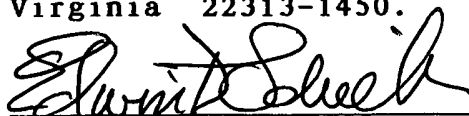
Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicant wishes  
to call the attention of the Examiner to the following  
references:

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,372,136	R. Steuer et al.	December 13, 1994
5,482,036	M. Diab et al.	January 9, 1996

"Express Mail" mailing label number ER 922363956 US  
Date of Deposit June 5, 2004

I hereby certify that this paper is being deposited with the  
U.S. Postal Service "Express Mail - Post Office to Addressee"  
service under 37 C.F.R. §1.10 on the date indicated above and  
is addressed to: Hon. Commissioner for Patents, United States  
Patent and Trademark Office, P. O. Box 1450, Alexandria,  
Virginia 22313-1450.

  
Edwin D. Schindler, Reg. No. 31,459

June 5, 2004  
Date

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
	<i>(continued)</i>	
5,490,505	M. Diab et al.	February 13, 1996
5,499,627	R. Steuer et al.	March 19, 1996
5,553,615	H. Carim et al.	September 10, 1996
5,685,299	M. Diab et al.	November 11, 1997
5,706,208	D. Osten et al.	January 6, 1998
5,729,333	D. Osten et al.	March 17, 1998
5,769,785	M. Diab et al.	June 23, 1998
5,803,908	R. Steuer et al.	September 8, 1998
5,817,007	H. Fodgaard et al.	October 6, 1998
5,842,981	M. Larsen et al.	December 1, 1998
5,891,024	K. Jarman et al.	April 6, 1999
5,922,607	P. Bernreuter	July 13, 1999
6,006,119	B. Soller et al.	December 21, 1999
6,036,642	M. Diab et al.	March 14, 2000
6,104,938	M. Huiku et al.	August 15, 2000
6,122,535	S. Kaestle et al.	September 19, 2000
6,163,715	M. Larsen et al.	December 19, 2000
6,206,830	M. Diab et al.	March 27, 2001
6,226,540	P. Bernreuter	May 1, 2001
6,263,222	M. Diab et al.	July 17, 2001
6,266,546	R. Steuer et al.	July 24, 2001
6,397,093	T. Aldrich	May 28, 2002
6,415,233	D. Haaland	July 2, 2002
6,501,975	M. Diab et al.	December 31, 2002

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
------------------------	-----------------	-------------------

(continued)

6,526,298	O. Khalil et al.	February 25, 2003
6,650,917	M. Diab et al.	November 18, 2003
6,662,031	O. Khalil et al.	December 9, 2003

<u>U.S. Published Patent Appl. No.</u>	<u>Applicant</u>	<u>Publication Date</u>
--	------------------	-------------------------

2001/0005773 A1	M. Larsen et al.	June 28, 2001
2002/0029326 A1	M. Diab et al.	October 11, 2001
2002/0038079 A1	R. Steuer et al.	March 28, 2002
2003/0097049 A1	M. Diab et al.	May 22, 2003

<u>Document No.</u>	<u>Country/P.C.T.</u>	<u>Published/Issued</u>
---------------------	-----------------------	-------------------------

WO 00/01294	PCT/Int'l Bureau (WIPO)	January 13, 2000
-------------	-------------------------	------------------

A copy of each of the references is submitted herewith along with Form PTO-1449.

The accompanying references relate generally to optical devices which may be useful for medical purposes, generally known to the state of the art.

The instant U.S. patent application represents the U.S. National Phase of P.C.T. Application No. PCT/GB99/02510, filed July 30, 1999, and claims foreign priority on the basis of a United Kingdom patent application filed August 13, 1998.

Of the foregoing references cited in this Information Disclosure Statement, the "effective" filing dates of the

following references are based upon prior (related) continuation-in-part filings which may not necessarily contain the same subject matter disclosed in the issued patent or published patent application and, consequently, might not be "prior" art against Applicant under 35 U.S.C. §102(e):

1. Larsen et al., U.S. Patent No. 6,163,715, issued December 19, 2000;
2. Bernreuter, U.S. Patent No. 6,226,540, issued May 1, 2001;
3. Aldrich, U.S. Patent No. 6,397,093, issued May 28, 2002;
4. Khalil et al., U.S. Patent No. 6,526,298, issued February 25, 1993;
5. Khalil et al., U.S. Patent No. 6,662,031, issued December 9, 2003; and,
6. Larsen et al., U.S. Patent Application Publication No. 2001/00055773 A1, published July 17, 2001.

The six references listed above are not "admitted" prior art, because the references are based upon continuation-in-part applications, the parent applications of which might not contain subject matter relevant to Applicant's claimed invention, and would not otherwise qualify as prior art under 35 U.S.C. §102(e). The six enumerated references are provided to the Examiner for "informational" purposes only and for completeness of this Information Disclosure Statement.

Further, Haaland, U.S. Patent No. 6,415,233, issued July 2, 2002, recites a non-provisional application U.S. filing date of March 3, 2000, and a U.S. provisional application filing date of March 4, 1999. Haaland does not qualify as §102(e) prior art on the basis of its non-provisional filing date of March 3, 2000, and its provisional filing date of March 4, 1999, is subsequent to Applicant's priority claim of August 13, 1998. The content of the Haaland provisional patent application is also unknown and, consequently, Haaland, U.S. Patent No. 6,415,233, is not "admitted" prior art, notwithstanding Applicant's priority claim, against the instant Applicant and provided to the Examiner for solely informational purposes.

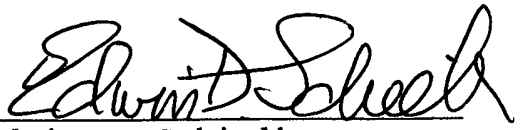
Finally, D. Parker et al., P.C.T. Publication No. WO/01294, published January 13, 2000, and assigned to a common assignee, has been entered into the U.S. National Phase and has been accorded U.S. Application Serial No. 09/743,206. This published P.C.T. application is not "prior" art against the claims of the instant patent application, and inclusion of this P.C.T. application as part of this Information Disclosure Statement is solely for the Examiner's information.

The citations in this Information Disclosure Statement do not constitute an admission by Applicant that the references are relevant or material to the patentability of the claims.

Inasmuch as the present Information Disclosure Statement is being filed prior to issuance of a first Office Action on the merits, no fee for its submission is submitted to be due.

Respectfully submitted,

DAWOOD PARKER

By   
Edwin D. Schindler  
Attorney for Applicant  
Reg. No. 31,459

Five Hirsch Avenue  
P. O. Box 966  
Coram, New York 11727-0966

(631)474-5373

June 5, 2004

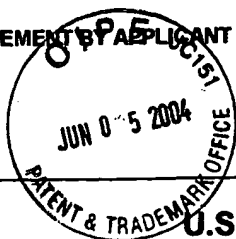
The Commissioner is hereby authorized to charge the Deposit Account of Applicant's Attorney, Account No. 19-0450, for any additional fees which may be due in connection with the prosecution of the present application, but which have not otherwise been provided for.

**FORM PTO-1449** U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Page 1 of 2)

(37 CFR 1.98(b))



ATTY. DOCKET NO.:  
ECC-5778

SERIAL NO.:  
09/762,923

APPLICANT(S):  
PARKER, Dawood

FILING DATE:  
4/16/2001.

GROUP ART UNIT:  
3742

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB- CLASS	FILING DATE if appropriate
	AA	5,372,136	12/13/1994	Steuer, et al.	128	633	
	AB	5,482,036	1/9/1996	Diab, et al.	128	633	
	AC	5,490,505	2/13/1996	Diab, et al.	128	633	
	AD	5,499,627	3/19/1996	Steuer, et al.	128	633	
	AE	5,553,615	9/10/1996	Carim, et al.	128	633	
	AF	5,685,299	11/11/1997	Diab, et al.	128	630	
	AG	5,706,208	6/6/1998	Osten, et al.	364	497	
	AH	5,729,333	3/17/1998	Osten, et al.	356	39	
	AI	5,769,785	6/23/1998	Diab, et al.	600	364	
	AJ	5,803,908	9/8/1998	Steuer, et al.	600	314	10/16/1990
	AK	5,817,007	12/6/1998	Fodgaard, et al.	600	322	4/26/1996
	AL	5,842,981	12/1/1998	Larsen, et al.	600	323	7/17/1996
	AM	5,891,024	4/6/1999	Jarman, et al.	600	323	4/9/1997
	AN	5,922,607	7/13/1999	Bernreuter	436	68	12/11/1996
	AO	6,006,119	12/21/1999	Soller, et al.	600	322	2/4/1998
	AP	6,036,642	3/14/2000	Diab, et al.	600	364	3/7/1991
	AQ	6,104,938	8/15/2000	Huiku, et al.	600	322	2/12/1998
	AR	6,122,535	9/19/2000	Kaestle, et al.	600	322	3/10/1998
	AS	6,163,715	12/19/2000	Larsen, et al.	600	323	7/17/1996
	AT	6,206,830	3/27/2001	Diab, et al.	600	364	3/7/1991
	AU	6,226,540	5/1/2001	Bernreuter	600	323	12/11/1996
	AV	6,263,222	7/17/2001	Diab, et al.	600	310	10/6/1993
	AW	6,266,546	7/24/2001	Steuer, et al.	600	322	10/16/1990
	AX	6,397,093	5/28/2002	Aldrich	600	330	12/5/1996
	AY	6,415,233	7/2/2002	Haaland	702	22	3/4/1999
	AZ	6,501,975	12/31/2002	Diab, et al.	600	336	3/7/1991
	BA	6,526,298	2/25/2003	Khalil, et al.	600	310	5/18/1998
	BB	6,650,917	11/18/2003	Diab, et al.	600	323	10/7/1994
	BC	6,662,031	12/9/2003	Khalil, et al.	600	322	5/18/1998

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial citation considered. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

<b>FORM PTO-1449</b> U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Page 2 of 2)  (37 CFR 1.98(b))	ATTY. DOCKET NO.: ECC-6778	SERIAL NO.: 09/762,923
	APPLICANT(S): PARKER, Dawood	
	FILING DATE: 4/16/2001.	GROUP ART UNIT: 3742



### U.S. PUBLISHED PATENT APPLICATIONS

EXAMINER INITIAL		APPLICATION PUBLICATION NUMBER	PUBLICATION DATE	APPLICANT(S)	CLASS	SUB- CLASS	FILING DATE if appropriate
	BD	2001/0005773 A1	6/28/2001	Larsen, et al.	600	323	7/17/1996
	BE	2001/0029326 A1	10/11/2001	Diab, et al.	600	364	3/7/1991
	BF	2002/0038079 A1	3/28/2002	Steuer, et al.	600	322	10/16/1990
	BG	2003/0097049 A1	5/22/2003	Diab, et al.	600	330	3/7/1991

### FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	BH	WO 00/01294	1/13/2000	PCT			Eng.	

EXAMINER	DATE CONSIDERED
----------	-----------------

**EXAMINER:** Initial citation considered. Draw line through citation if not in conformance and not considered.  
 Include copy of this form with next communication to applicant.